PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0551-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB-controllerum base. Application Number 10/656 723 CENTRAL FAX CE NTER TRANSMITTAL Filing Date August 18, 2004 FORM First Named Inventor AUb کے کا Emerson, Zane Art Unit 3871 (to be used for all correspondence after initial filing) Examiner Name Pezzuto, Robert Eric Attorney Docket Number 03-065 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ~ Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bohan, Mathers & Associates, LLC Individual name Signature Date August 18, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Sent via facsimile to 703-872-9306

Typed or printed name

Peter J. Somerville

Date August 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FAX CENTER

AUG 18 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/656 723

Confirm, No.: 8263

Filing Date:

09/05/2003

Inventor:

ZANE EMERSON

Title:

BERRY HARVESTER

Art Unit:

3671

Examiner:

PEZZUTO, Robert Eric

Attorney Docket No.:

03065

To:

Mail Stop Amendment

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Request for Reconsideration Pursuant to 37 C.F.R. § 1.111

Dear Sir:

Introductory Remarks:

This petition is filed in response to the Office Action of May 20, 2004.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims: Amendments and a complete listing of currently pending claims begin on page 4 of this paper.

Remarks/Arguments begin on page 6 of this paper.